

AN ACT

ENTITLED, An Act to redefine what marks are prohibited on a ballot and to require the county auditor to provide certain directions in conducting a recount.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-18-22 be repealed.

Section 2. That chapter 12-18 be amended by adding thereto a NEW SECTION to read as follows:

If a name is written on a ballot in an attempt to cast a write-in-vote, the vote cast for that particular office may not be counted. However, any vote cast for any other office may be counted.

Section 3. That § 12-21-20 be amended to read as follows:

12-21-20. The county auditor, immediately on the filing of any petition for a recount or upon receipt from the secretary of state of notice of such filing with the secretary of state, shall notify in writing, with the seal of the auditor's office, the presiding judge of the circuit court for the auditor's county. The presiding judge shall appoint a board, pursuant to § 12-21-2, for each county in the circuit in which a recount is to be conducted. The presiding judge may appoint the board anytime within thirty days prior to a primary or general election or upon the filing of the petition for recount. The board shall then convene in the office of the county auditor on the second Monday at ten a.m. following the filing of the petition. However, if the second Monday is a legal holiday, the board shall convene at ten a.m. of the day following. The county auditor shall provide the recount board with laws, rules, and forms to use in conducting the recount. The board shall then proceed with the recount.

An Act to redefine what marks are prohibited on a ballot and to require the county auditor to provide certain directions in conducting a recount.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1009

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1009
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State